

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:11-cr-00617-W**

**MARY B. RUDOLPH, RUDOLPH-RAAD,)
INC., and FAMILY FORUM, INC.,)
)
Plaintiffs,)
)
vs.)
)
**BEACON INDEPENDENT LIVING LLC,)
FRANK MCCOLLUM, BRUCE L.)
BLEIMAN, ANTOINE LASSITER, ED)
BOWERS, in his capacity as Receiver for)
Charlottetown Manor, Inc., WIND N SEA)
HOLDINGS, LLC, and WESLEY L.)
DEATON and ROBERT BURRIS,)
Substitutes Trustees of that Deed of Trust)
executed by Rudolph-Raad, Inc., dated the)
28th day of June, 2002, and recorded July 1,)
2002, in Book 13761, Page 926 of the)
Mecklenburg County Public Registry and)
re-recorded on January 17, 2003, in Book)
14708, Page 79 of the Mecklenburg County)
Registry,)
)
Defendants.)
)****

**ORDER
and
NOTICE OF HEARING**

THIS MATTER is before the Court upon several motions, all of which have been filed by Plaintiffs: (1) Motion for a Hearing on the pending Motion for a Preliminary Injunction (Doc. No. 23); (2) Motion for Expedited Discovery (Doc. No. 25); (3) Motion for a Hearing on the pending Motion for Expedited Discovery (Doc. No. 26); and (4) the Amended Motion for a Hearing on the Preliminary Injunction (Doc. No. 30).

In order to quickly resolve the instant motions, the Court conducted a telephone conference on January 5, 2012, with counsel for Plaintiffs and counsel for several Defendants. Not all counsel have formally appeared in this matter, but the Court is satisfied that Defendants were adequately

represented.

For the reasons stated during the telephone conference, IT IS THEREFORE ORDERED:

- (1) the Motion and Amended Motion for a Hearing on the Preliminary Injunction (Docs. Nos. 23, 30) are GRANTED, and notice of such hearing follows;
- (2) the Motion for Expedited Discovery (Doc. No. 25) is GRANTED IN PART and DENIED IN PART. Expedited discovery shall commence immediately in compliance with the deadlines and limitations agreed to by the parties during the conference; and
- (3) finally, because the Court conducted a telephone conference, the Motion for a Hearing on the Motion for Discovery (Doc. No. 26) is DENIED AS MOOT.

TAKE NOTICE that a hearing on the pending Motion for Preliminary Injunction (Doc. No. 22) shall take place on **Thursday, January 19, 2012, at 10:30 AM** before the undersigned in Courtroom #1 of the Charles R. Jonas Building, 401 W. Trade Street, Charlotte, North Carolina 28202. Counsel should be prepared to present evidence if they so desire and make oral argument on the pending motion.

IT IS SO ORDERED.

Signed: January 5, 2012



Frank D. Whitney
United States District Judge
